

Remarks

Entry of the foregoing amendment is believed to place the application in condition for allowance.

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-8, 10-18, and 20-30 are pending in the application, with 1, 12, and 24 being the independent claims. No new claims have been added. Claims 1, 12, and 24-30 have been amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Request for Withdrawal of the Finality of the Last Office Action

Applicants request reconsideration of the finality of the rejection of the Office Action dated April 12, 2007 and request that the finality of that action be withdrawn.

As a basis for the finality of the Office Action dated April 12, 2007 the Examiner asserts that the new ground(s) of rejection presented in that Office Action were necessitated by Applicants' amendment. Applicants respectfully disagree. Claims 1 and 12 were amended to place subject matter included in respective dependent claims 9 and 19 in independent form. Because the amendments to claims 1 and 12 did not change the scope of the originally examined subject matter, the amendments could not have necessitated the new grounds of rejection. Thus, the Finality of the Office Action should be withdrawn.

As provided by MPEP § 706.07, if an Examiner is not using a new ground of rejection, a final rejection should include a rebuttal of any arguments raised in the Applicant's

reply. In the Office Action the Examiner did not provide a rebuttal to the applicants arguments, but instead rendered the arguments moot on the basis of the new grounds of rejection.

Rejections under 35 U.S.C. § 103

Claims 1-8, 10-18, and 20-23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Chapman et al. (US Patent 6,438,123 "Chapman") in view of Cloonan et al. (US 2002/0065907, "Cloonan"). Applicants respectfully traverse.

Although the Applicants respectfully disagree with the Examiner's rejections of previously presented claims 1 and 12, the Applicants have amended Claims 1 and 12 to expedite prosecution. Thus, the Examiner's previous rejections are moot in light of the current Amendment.

Claims 1 and 12 include the element of "wherein said descriptor table includes reference templates, wherein different said reference templates allow for the transmission of different packet types thereby supporting different protocols in the communication medium." The combination of Chapman and Cloonan does not disclose this element. Thus, claims 1 and 12 are patentable over the combination of Chapman and Cloonan for at least the foregoing reasons. Reconsideration and allowance of claims 1 and 12 are respectfully requested.

Claims 2-8, 10-18, and 20-23 each depend on one of the independent claims discussed above. Thus, for at least the reasons discussed above, they are also allowable over the combination of Chapman and Cloonan. Reconsideration and allowance of claims 1-8, 10-18, and 20-23 are respectfully requested.

Allowable Subject Matter

The Applicants extend their appreciation to the Examiner for the Examiner's early indication of allowable subject matter within claims 24-30. Claims 24-30 have been amended to put them in better form. Claims 24-30 are still believed to be in condition for allowance after the amendments.

Amendments to the Drawings

The Applicants have submitted replacements sheets for FIGs. 3, 4, 8, 10, and 12. FIGs. 3, 4, 8, 10, and 12 previously included handwritten text and diagrams. The replacement figures provide formal drawings. No content or information within the figures has changed. Entry of the replacement sheets is respectfully requested.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Amdt. dated September 12, 2007 - 11 -
Reply to Office Action of April 12, 2007

SALA *et al.*
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Prompt and favorable consideration of this Amendment and Reply is respectfully
requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Michael D. Specht", written in a cursive style.

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